

**MINUTES OF THE MEETING
CITY OF SAN DIEGO ETHICS COMMISSION**

October 4, 2001

5:00 P. M.

**City Administration Building, 12th Floor
Council Chambers
202 C Street**

MEMBERS

Dorothy Leonard, Chair
Albert Gaynor, Vice-Chair
Lisa Foster
Charles La Bella
April Riel
Dorothy Smith
Gregory Vega

Agenda Item No. 1 - Call to Order.

The meeting was called to order by Chairperson Dorothy Leonard at 5:08 p.m.

(Tape location: A000-A004)

Agenda Item No. 2 - Roll Call.

The meeting began with all Commissioners present with the exception of Commissioner Foster.

(Tape location: A005-A08)

Agenda Item No. 3 - Approval of Commission Minutes.

The minutes for the meetings of September 6, 2001 and September 13, 2001 were approved.

MOTION BY GAYNOR TO APPROVE MINUTES. Second by Riel. Passed by unanimous vote, with Commissioner Foster absent.

(Tape location: A009-A016)

Agenda Item No. 4 - Non-Agenda Comment.

PUBLIC COMMENT 1 - Steve McWilliams spoke about the City's policies regarding medical marijuana.

(Tape location: A017-A057; A299-A375)

PUBLIC COMMENT 2 - Mel Shapiro spoke about the Commission's complaint process.

(Tape location: A058-A092)

Agenda Item No. 5 - Commissioner Comment.

COMMISSIONER COMMENT 1 - Chairperson Leonard announced that the Rules Committee modified the subpoena power ballot language by deleting the phrase "or any person designated by the Commission." Chairperson Leonard stated that the ballot language is expected to be docketed before Council in November. Chairperson Leonard also announced the development of the Commission's website, which can be found at www.sandiego.gov/ethics.

(Tape location: A093-A108)

COMMISSIONER COMMENT 2 - Commissioners Riel and Smith commented on their recent visits to the ethics commissions of Los Angeles and San Francisco. They noted the differences in the roles played by the commissioners of each city, staff sizes, responsibilities, number of cases, and number of subpoenas issued. Other areas of inquiry included staff job descriptions; limited tenure for the executive director; permanent full-time status for the investigator; the audit process; and settlements. It was noted that while San Francisco's commission was established in 1993, it did not complete its rules and regulations nor hire its executive director until 1995.

(Tape location: A109-A286)

COMMISSIONER COMMENT 3 - Commissioner Vega announced that the Personnel subcommittee anticipates meeting its timeline by selecting an executive director by the end of October.

(Tape location: A287-A297)

Agenda Item No. 6 - Commission Procedures for Formal Complaints and Investigations.

Commissioner Riel presented a draft proposal developed by the Procedures subcommittee related to the complaint and investigation process. As proposed, the process is divided into four stages: preliminary review (including receipt of complaints), formal investigation, probable cause hearing, and administrative hearing. Discussion included whether Commissioners and Commission staff should be able to register complaints; the development of expedited procedures; subpoena power and its role in the investigative process; and the potential use of hearing officers during probable cause hearings and administrative hearings.

(Tape location: A376-C536)

Agenda Item No. 7 - Adjournment.

The meeting was adjourned by Chairperson Leonard at 7:12 p.m.

(Tape location: C537-C540)

Dorothy Leonard, Chairperson
Ethics Commission

Bonnie J. Stone
Deputy City Clerk